

ARTICLE VI ADMINISTRATION

600 GENERAL

601 VARIATION

Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Board, such action is in the public interest, and not inconsistent with the subdivision control law.

602 MODIFICATION, AMENDMENT OR RESCISSION

1) The Planning Board, acting on its own motion, or on the petition of any interested person, shall have the power to modify, amend, or rescind its approval of a subdivision plan, or to require a change in a plan as a condition of its retaining the status of an approved plan. All the provisions relating to the submission or approval of a subdivision plan shall also apply, so far as apt, to the approval of the modification, amendment or rescission of such approval, and to a plan which has been changed under this paragraph.

2) No modification, amendment or rescission of the approval of a subdivision plan or change in such plan shall affect the lots which have been sold or mortgaged subsequent to the approval of the plan, or any rights appurtenant thereto, without the consent of the owner of such lots, and of the mortgagee, if any, thereon.

3) No modification, amendment or rescission or change in an approved plan shall take effect until the applicable provisions of Section 81-W of the subdivision control law are complied with.

4) The failure of a developer to complete work in a subdivision within two (2) years of the approval of the Definitive Plans shall constitute a reason for the rescission of such approval.

5). The filing fee for a major modification, amendment or rescission shall be 10% of the sum of original filing fee, design review fee, and field inspection fee that was submitted for the original subdivision approval which shall be tendered by certified check payable to the city of Taunton at the time of submission. A major modification shall be considered any modification that results in the alteration of the roadway width or length, increase in the number of lots, type of housing, or number of units. A minor modification shall be considered any modification other than those specified above and shall have a filing fee of \$300.00 plus advertising costs which shall be tendered by certified check payable to the city of Taunton at the time of submission

603 SEVERABILITY

If any provision of these rules and regulations is found to be invalid or void, it shall not affect any other provision of these Rules and Regulations.

604 REFERENCE

For matters not covered by these Rules and Regulations, reference is made to Sections 81-K to 81-GG Inclusive, of Chapter 41 of the General Laws.

605 APPEALS

Appeals may be taken from the determination of the Board in accordance with the provisions of Section 81-BB, Chapter 41 of the General Laws.

606 REPETITIVE PETITIONS

To be favorably acted on, five (5) members of the Taunton Planning Board must vote in affirmative. This complies with Massachusetts General Laws Chapter 40A, Section 16, which allows two-thirds vote of a board of five or more members. The fee for filing a repetitive petition shall be three hundred dollars (\$300.00) plus in the case of a variance request; \$35.00 for each item of relief being sought from the Zoning Board of Appeals which shall be tendered by certified check payable to the city of Taunton at the time of submission. In addition, the petitioner shall be responsible for all advertising costs.

607 - Road Improvement Plan –

An application for a Road Improvement Plan shall meet the requirements of sections 216, 217, 218, 219, 220 and 221. While the submission does not require a public hearing, 300 foot abutters shall be notified and be provided an opportunity to provide input to the Board..

The filing fee shall be \$500.00 and the applicant shall also be responsible for Design Review and Field Inspection fees as computed and detailed in section 427. The applicant shall also file a mylar deposit in compliance with the amount and procedures detailed in section 211 #2